

REMARKS

Claims 1 and 2 are pending in the application. Claims 1 and 2 have been revised to clarify the features of the present invention without altering the scope of the claims as follows:

- Claims 1 and 2 have been revised to clarify that the bio-material is used to detect an electromagnetic signal.
- Claims 1 and 2 have been revised to clarify that the bio-material is obtained from animal carcasses.
- Claims 1 and 2 have been revised to clarify that the epidermis is selected from the group consisting of fish, fowl and tortoises.
- Claims 1 and 2 have been revised to clarify that the epidermis is immersed in a mixed solution of aromatics.
- Claims 1 and 2 have been revised to clarify that the term “it” refers to the epidermis.
- Claims 1 and 2 have been revised to feature the drying of the epidermis at room temperature.
- Claims 1 and 2 have been revised to feature the application of heat of 40°C and cold air of -25°C to the epidermis.
- Claims 1 and 2 have been revised to clarify that the epidermis is irradiated for sterilization.
- Claims 1 and 2 have been revised to clarify that the epidermis is turned at 500 rpm to generate static electricity.

Support for the revisions is found throughout the application as filed, such as on pages 16-18. The amendments have not been made in acquiescence to any rejection of record. Applicants expressly reserve the right to re-present the subject matter of the claims in their previous form in a continuing application.

No new matter has been introduced, and entry of the above revised claims is respectfully requested.

Alleged Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 1 and 2 are rejected as allegedly failing to meet the enablement requirement because the specification discloses a living organism, but the claims use a carcass. Applicants have reviewed the rejection of record and respectfully traverse.

Support for claims 1 and 2 can be found throughout the specification and at least on pages 16-18. On pages 16-18, the specification clearly discusses the treatment of a carcass, and at times the carcass is referred to as the “carcass of the living organism.” *See, e.g.*, page 17, lines 10-11. A carcass is clearly not alive and has been defined by the Biology Online dictionary as “the body of a dead animal.” *See* <http://www.biology-online.org/dictionary/Carcass> (visited January 4, 2008). Therefore, the phrase “carcass of the living organism” simply points out that the carcass is the dead body of an animal that was once alive. Any different interpretation would be nonsensical.

Applicants submit that one of skill in the art would recognize that a carcass of a once-living organism is used in the present inventions. In the interests of furthering prosecution, however, Applicants have revised claims 1 and 2 to clarify that the carcass is obtained from an organism, which is inherently supported by the definition of “carcass” itself. No undue experimentation by one of skill in the art is required in practicing the inventions.

Applicants note that the references cited in the Office Action on pages 6, 7 and 7-1 are contained in the section entitled “Background Art.” The Disclosure of the Invention on page 16, however, makes it clear that the invention seeks the creation and use of epidermal tissue that has been separated from the rest of the organism but still has characteristics of the epidermis. The description of the characteristics of the epidermis in the Background Art section, therefore, does not render the present invention non-enabled. One of skill in the art would understand that the invention seeks the creation of bio-material that has the characteristics of the epidermis similar to those found in living organisms and to those described in the Background Art section.

In light of the above, Applicants respectfully submit that the rejection is misplaced and reconsideration and withdrawal are requested.

Alleged Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1 and 2 are rejected as allegedly indefinite because it is not clear what a “bio-electromagnetic signal” comprises, and because Applicants allegedly simultaneously claim a living organism and a carcass. Claims 1 and 2 have been revised to clarify that the bio-material is used to detect an electromagnetic signal as would be understood by the skilled person in light of the application as filed. Furthermore, claims 1 and 2 were revised to clarify that the present invention is derived from a carcass. Applicants submit that these clarifications are sufficient to overcome the rejection.

The Office Action also states that it is unclear (i) how the epidermis is separated from the organism; (ii) what “it” refers to; (iii) what an “electric cylinder” in claims 1 and 2. With respect to the separation procedure, the specification provides details regarding this procedure on pages 17-1 and 18, lines 6-15 and lines 1-6, respectively. Claims 1 and 2 have been amended to clarify that “it” refers to the epidermis and to delete the phrase “electric cylinder.” Applicants submit that the description in the specification and the revisions to the claims are sufficient to overcome the rejection.

The Office Action also states that the phrase “such as” in claims 1 and 2 renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed inventions. Claims 1 and 2 have been revised to clarify that the epidermis is selected from the group consisting of fish, fowl and tortoises, and “such as” has been deleted. Applicants submit that these clarifications are sufficient to overcome the rejection.

The Office Action also states that the phrases “ambient,” “etc.” and “medium pressure” render claims 1 and 2 indefinite. Claims 1 and 2 have been revised to feature the drying of the epidermis at room temperature, and the phrases “ambient,” “etc.” and “medium pressure” have been deleted or revised. Applicants submit that these clarifications are sufficient to overcome the rejection.

The Office Action also states that the phrase “hot and cold” in claim 1 renders the claim indefinite because the phrase is not defined by the claim. Claims 1 and 2 have been revised to feature the application of heat of 40°C and cold air of -25°C to the epidermis. Applicants submit that these revisions are sufficient to overcome the rejection.

In light of the above, Applicants respectfully submit that the rejections are misplaced and reconsideration and withdrawal are requested.

Conclusion

It is believed that the application is now in condition for allowance. Applicants request the Examiner to issue a notice of Allowance in due course. The Examiner is encouraged to contact the undersigned to further the prosecution of the present invention.

The Commissioner is authorized to charge JHK Law’s Deposit Account No. **502486** for any fees required under 37 CFR §§1.16 and 1.17 that are not covered, in whole or in part, by a credit card payment enclosed herewith and to credit any overpayment to said Deposit Account No. **502486**.

Respectfully submitted,

JHK Law

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